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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

11 LIBERTY MUTUAL INSURANCE 12 COMPANY, 13 Plaintiff, 14 vs. 15 MICHAEL T. BLATT, 16 Defendant.) Case No. C 06 2022 CW) [PROPOSED] JUDGMENT
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17 The above-entitled case came before the Court on plaintiffs' Motion for
 18 Summary Judgment and Summary Adjudication on certain issues. On October 26,
 19 2007 Samuel Conti, District Court Judge presiding, denied plaintiffs' Motion for
 20 Summary Judgment and Granted in Part and Denied in Part plaintiffs' Motion for
 21 Summary Adjudication. The Court found that there were three issues remaining to
 22 be decided by the trier of facts, but subsequently indicated from the bench on January
 23 11, 2008 that the ruling was not "set in concrete."

24 On March 4, 2008 at the Pre-Trial Conference before Claudia Wilkins, District
 25 Court Judge presiding, the Court held that the Stipulated Facts for Trial resolved all
 26 remaining issues after the October 26, 2007 Order of Judge Conti. The court chose
 27 not to consider other issues raised by plaintiff at the time of the hearing, including a
 28 reconsideration of Judge Conti's ruling in light of the stipulated facts negotiated

1 between the parties.

2 After consideration of the issues and the Stipulated Facts for Trial, IT IS
 3 ORDERED, ADJUDGED AND DECREED:

4 1. That Plaintiff Liberty Mutual shall recover from Defendant Michael
 5 Blatt the sum of \$1,582.50, together with pre-judgment interest at the rate of ten
 6 percent per annum from September 10, 2004 or \$0.43 per day (\$1,582.50 *.10 =
 7 \$158.25/365 = \$0.43), until the judgment is paid.

8 2. That Plaintiff Liberty Mutual shall recover from Defendant Michael
 9 Blatt the sum of \$7,304.21, together with pre-judgment interest at the rate of ten
 10 percent per annum from June 1, 2004, or \$2.00 per day (\$7,304.21 *.10 =
 11 \$730.42/365 = \$2.00), until the judgment is paid.

12 3. That Plaintiff Liberty Mutual shall recover from Defendant Michael
 13 Blatt the sum of \$836.75, together with pre-judgment interest at the rate of ten
 14 percent per annum from July 12, 2004, or \$0.23 per day (\$836.75 *.10 = \$83.68/365
 15 = \$0.23), until the judgment is paid.

16 4. That Plaintiff Liberty Mutual shall recover from Defendant Michael
 17 Blatt the sum of \$884.23, together with pre-judgment interest at the rate of ten
 18 percent per annum from August 18, 2004, or \$0.24 per day (\$884.23 *.10 =
 19 \$88.42/365 = \$0.24), until the judgment is paid.

20 5. In sum, Liberty Mutual shall recover from Defendant Michael Blatt the
 21 total principle sum of \$10,607.69 (Items 1-4, above) with pre-judgment interest at the
 22 rate of ten percent per annum from the dates set forth in Items 1-4, above.

23 6. Plaintiff Liberty Mutual shall recover costs from defendant Michael
 24 Blatt.

25
 26 DATED: _____

JUDGE OF THE DISTRICT COURT



1 **PROOF OF SERVICE**
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2 STATE OF CALIFORNIA, COUNTY OF ORANGE

3 I, the undersigned, am employed in the County of Orange, State of
4 California. I am over the age of eighteen (18) years and not a party to the
within action. My electronic mail address is mbennett@kringandchung.com.
5 The document was served electronically and the transmission was reported
as complete and without error.

6 On June 19, 2008 at approximately 10:50 p.m., I served true copies of
7 the foregoing document(s) described as **[PROPOSED] JUDGMENT** on the
interested parties in this action, addressed as follows:

8 **Attorneys for Michael Blatt**

9 Ronald D. Foreman, Esq.
rdf@foremanandbrasso.com

10 BY E-MAIL: By transmitting a true copy of the foregoing document(s)
11 to the e-mail address listed above.

12 I declare under penalty of perjury under the laws of the State of
California that the foregoing is true and correct.

13 Executed on June 19, 2008, at Irvine, California.

14 
15

16 MICHELLE BENNETT

